

FINDINGS OF FACT FOR A PRELIMINARY PLAT FOR AN AMENDED PLAT OF THE AMENDED PLAT OF LOT 1, BLOCK 3, RIVERWOOD VILLAS NO.1 SUBSEQUENT MINOR SUBDIVISION PLAT LOCATED IN THE SW ¼, NW ¼, OF SECTION 2, TOWNSHIP 19 N, RANGE 3 E, P.M.M. CASCADE COUNTY, MONTANA.

The application requesting preliminary plat approval for, An amended plat of the amended plat of Lot 1, Block 3, Riverwood Villas No.1 subsequent minor subdivision was received on April 23, 2018. The submittal was determined to contain all required components sufficient for adequate public review on May 23, 2018 and scheduled for public hearing for the Cascade County Planning Board on June 19, 2018 pursuant to statutory requirements. Notice of the public hearing was sent to adjacent property owners on June 1, 2018 and published in the Great Falls Tribune on June 3, 2018 and June 10, 2018.

Nancy Walker (Owner and Subdivider) requests preliminary plat approval for AN AMENDED PLAT OF THE AMENDED PLAT OF LOT 1, BLOCK 3, RIVERWOOD VILLAS NO.1 consisting of two (2) lots of 10.008 acres each. The total acreage of the project site is 20.016 acres.

I. PRIMARY REVIEW CRITERIA

Effect on Agriculture

The proposed subdivision presently consists of one (1) parcel of land (20.016 cumulative acres) within the suburban residential two (SR2) zoning district. To the north, east and south of the project site is residential development in a suburban residential two (SR2) zoning district. To the west across Fox Farm Rd is vacant agricultural land located in a suburban residential two (SR2) district. The area to be subdivided is made up of eighty percent (80%) Ipano-Hillon complex, with four (4) to ten (10) percent slopes, and is not classified as farmland of state-wide importance. The remaining twenty percent (20%) is made up of Tanna clay loam with two (2) to eight (8) percent slopes and is classified as farmland of state wide importance. The area that is considered prime farmland is already developed and used for residential purposes. Additionally, the size of the parcel would restrict sustainable agricultural operations.

Effect on Local Services

The proposed subdivision will receive law enforcement services from the Cascade County Sheriff Office and fire protection services from the Gore Hill Volunteer Fire Department. The project is exempt from onsite fire cistern requirements per 10-15(2)(5) of the Cascade County Subdivision Regulations, as fire protection measures are only needed when creating four (4) or more lots, or in subsequent minor subdivisions of three (3) or more lots. This subdivision would only be creating one (1) additional lot.

A letter requesting comments was sent to the Gore Hill Volunteer Fire Department Chief and any response received from them will be forwarded to the Planning Board and the County Commissioners.

The parkland requirement is waived due to the land being subdivided into parcels over five (5) acres and only one (1) additional lot being created; pursuant to 76-3-621(3)(a) and (d), MCA.

Based on trip generation factors available from the Institute of Transportation Engineers (Appendix 11.5), the one (1) additional residential lot will generate approximately 10 trips per day to the County's road system. This will not represent a significant degradation of Level of Service or safety.

Letters requesting comments were sent to the Montana Department of Transportation and the Cascade County Road and Bridge Division. No comments have been received back from either of these agencies.

Effect on the Natural Environment

Subdivision of the site is not expected to create significant surface run-off problems. The proposed development is outside of any regulated floodplains, will not alter any lakebeds or stream channels. The Department of Environmental Quality will review the subdivision plan as part of the Sanitation in Subdivisions Act.

Twenty percent (20%) of the parcel is made up of Tanna clay loam (2 to 8 percent slopes) and is classified as farmland of statewide importance. The property was never put into farming use but used for residential purposes. Due to the small size of the parcel, farming would not be economical. The project was sent to the Cascade Conservation District for review, any comments received will be forwarded to the Planning Board and Commissioners.

The subdivision is not expected to adversely affect native vegetation, soils, water quality, or the quantity of surface or ground waters. Disturbed areas during development will be re-seeded and the weed management plan will be followed to reduce the spread of noxious weeds.

Effect on Wildlife and Wildlife Habitat

This location is in an area that has been developed residentially. There are no important habitats, wildlife areas, migration routes, wetlands, or habitat for sensitive or endangered species. Letters requesting comment have been submitted to the Department of Fish, Wildlife, and Parks. The subdivision will not result in closure of public access to hunting or fishing areas, nor to public lands.

Effect on Public Health and Safety

Based on available information, this subdivision does not appear to be subject to potential natural hazards such as flooding and rock slides; nor potential man-made hazards such as nearby heavy industrial or mining activity. Wildfires are always a possibility in subdivisions adjacent to vacant or pasture land when located within the wildland urban interface. Fire and emergency services have been addressed. Vehicle access to the subdivision will be primarily off Highway Dr.

II. REQUIREMENTS OF MONTANA SUBDIVISION AND PLATTING ACT, UNIFORM STANDARDS FOR MONUMENTATION, AND LOCAL SUBDIVISION REGULATION

The subdivision meets the requirements of the Montana Subdivision and Platting Act and the surveying requirements specified in the Uniform Standards for Monumentation, and conforms to

the design standards specified in the local subdivision regulations. The subdivider and the local government have complied with the subdivision review and approval procedures set forth in the local subdivision regulations.

III. COMPLIANCE WITH THE CASCADE COUNTY GROWTH POLICY

The proposed subdivision is in general compliance with the Cascade County Growth Policy to preserve and enhance the rural, friendly and independent lifestyle currently enjoyed by Cascade County's citizens and by ensuring that all new roads be built to county specifications, designing subdivisions so as to minimize the risk of fire, promoting adequate ingresses and egresses, adequate water supply systems, requiring local review of subdivisions meet DEQ regulations, and by complying with the weed district's weed management plans. The area is not located in a designated Resource Protection Area, Prohibitive Development Area or Conditional Development Area; therefore, those standards are not applicable to the proposed subdivision.

SETBACK STANDARDS

The minimum standards must comply with the Cascade County Zoning Regulations.

SLOPE STANDARDS

Development on slopes exceeding thirty percent is prohibited except where a licensed engineer, with demonstrated experience in the field of slope stabilization certifies that the development will create no slope failure or erosion hazards.

OFF-STREET PARKING STANDARD

All parking in the proposed subdivision will be accommodated on the premises and entirely off street.

RESIDENTIAL DEVELOPMENT STANDARD

Only residential uses are proposed, the minimum standards must comply with the Cascade County Zoning Regulations.

SOIL EROSION STANDARD

The proposed subdivision should not cause soil erosion or other adverse impacts of runoff on neighboring properties, roads, or watercourses.

SOILS LIMITATIONS STANDARD

Soils that have moderate or severe limitations for the proposed subdivision will be identified and measures to mitigate such limitations will be implemented.

ROAD ACCEPTANCE AND MAINTENANCE POLICY

Legal access, described as public street and utility easement, to the lots will be provided

on the final plat. The two lots will have two private access road that will be a privately maintained by the owner of each lot. Road access will be off Highwood Drive, a county maintained road.

FIRE PROTECTION STANDARD

This development lies within and receives fire protection services from the Gore Hill Volunteer Fire District. Response time will be dictated by weather and road conditions. A letter has been sent to the Gore Hill Fire Chief asking for comments on the proposed subdivision. Any comments received will be sent to the Planning Board and the County Commissioners.

SCHOOL SYSTEM'S CAPACITY STANDARD

Letters were sent to the Cascade County Superintendent of Schools and the Great Falls Public Schools. No comments have been received from either recipient at the time of writing this report.

IV. EASEMENTS FOR UTILITIES

Any comments received by staff will be forwarded to the Planning Board and County Commissioners. All easements will be shown on the final plat.

V. LEGAL AND PHYSICAL ACCESS

1. Legal access will be provided to both lots by approaches off Highwood Dr., the approach to Lot 1A is already created and in use.

VI. OPTIONS AND RECOMMENDATIONS

In making their recommendations and decisions, the Cascade County Planning Board and the Cascade County Commission shall consider the following:

- A. relevant evidence relating to the public health, safety, and welfare;
- B. the Summary of Probable Impacts;
- C. the Cascade County Growth Policy; and
- D. the provisions outlined in the Cascade County Subdivision Regulations and the Montana Subdivision and Platting Act.

VII. DECISION ALTERNATIVES

1. Approve the proposed subdivision.
2. Approve the proposed subdivision with conditions.
3. Table the proposed subdivision for further study.
4. Deny the proposed subdivision.